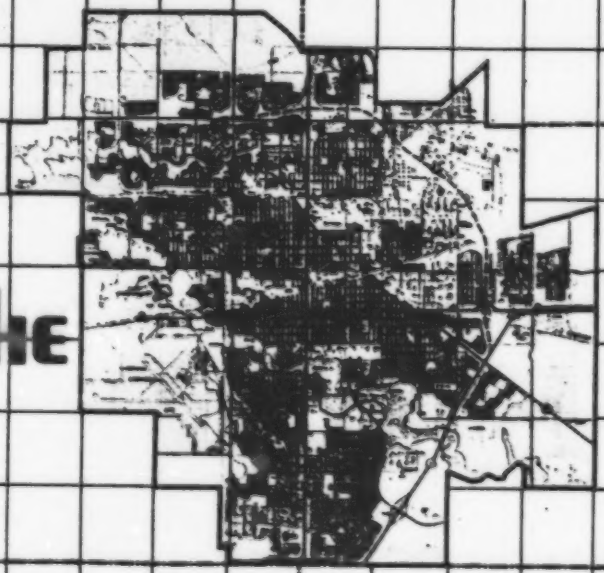
Land Use Policies



For The

R.M. of Sherwood

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LAND USE POLICIES FOR
THE R.M. OF SHERWOOD

I. Introduction

The Rural Municipality of Sherwood No. 159 completely surrounds the City of Regina. Over the years, the City has annexed land from the Rural Municipality to accommodate urban growth. The last extensive annexation, effective July 1, 1978, removed approximately 3, 600 acres of agricultural land from the Rural Municipality's jurisdiction. Presently, the Rural Municipality contains approximately 280 sections (179,200 acres) of lands within the municipality's boundaries.

As early as 1951, an agreement between the Rural Municipality of Sherwood and the City of Regina was signed establishing the Regina Planning District. The Planning District's boundaries were established coterminous with the Rural Municipality's boundaries. This agreement recognized the interrelationship of potential planning problems arising in the Rural Municipality because of the proximity of a large urban centre, Regina. Subsequently, in 1956, The Regina Planning District Zoning Bylaw was enacted by both municipalities establishing land use control within the Regina Planning District. The Regina Planning District Zoning bylaw was updated in 1966 and remains in effect to date governing and guiding development within the Rural Municipality.

The Regina Planning District's Zoning bylaw has been an effective instrument in controlling land use in the Rural Municipality. However, the Bylaw is eighteen years old, and should be updated. A new bylaw should be drafted that would be of a form that would facilitate the administration and interpretation of the provisions of the bylaw. The present bylaw is rather cumbersome to administer and it is difficult for a lay person to determine which land uses are permitted and which regulations govern these uses for any specific site in the Rural Municipality.

A new bylaw should also address the current issues and reflect the adopted policies regarding these land use issues. For example, the proposed expansion of the Regina Airport will affect land uses on certain

Rural Municipality lands. The new bylaw should ensure compatible airport - community land use patterns in the vicinity of the airport.

A comprehensive study of the industrial lands within the Rural Municipality was completed in 1980. This study identified the lands suitable for industrial use and any constraints on these lands that restricts certain types of development. The proposed zoning bylaw will, on a general basis, implement recommendations regarding industrial development for the Rural Municipality.

The purpose of this document is to articulate the general objectives and policies regarding land use in the Rural Municipality. From these adopted policies specific implementation recommendations have been made regarding potential development in the Rural Municipality for the various general types of land use. These policy objectives and policy recommendations constitute the basic planning statement that provides the basis on which the zoning bylaw is drafted.

The following sections first outline the general characteristics of land use in the Rural Municipality. From this information, specific policies and implementation recommendations are put forward for the different types of general land use in the Rural Municipality of Sherwood.

II. Characteristics of the Rural Municipality

1. General

The Rural Municipality of Sherwood contains approximately 180,000 acres and has a population (1979) of 1,598. The majority of this population resides on agricultural holdings which are over 160 acres in size. The Rural Municipality has eight designated hamlets. However, only one of these hamlets - Grand Coulee - has been developed. Grand Coulee has a residential population (1979) of 160 people.

In the old zoning bylaw, the hamlets of Grand Coulee and Rowatt were zoned "Hamlet" to permit residential and community uses. Unlike Grand Coulee, Rowatt has not developed as a residential community in the Rural Municipality.

The dominant land use in the Rural Municipality is agricultural. Nodes of commercial and industrial land uses do exist; but unlike many rural municipalities adjacent to large urban centres, the Rural Municipality of Sherwood has maintained its agricultural base.

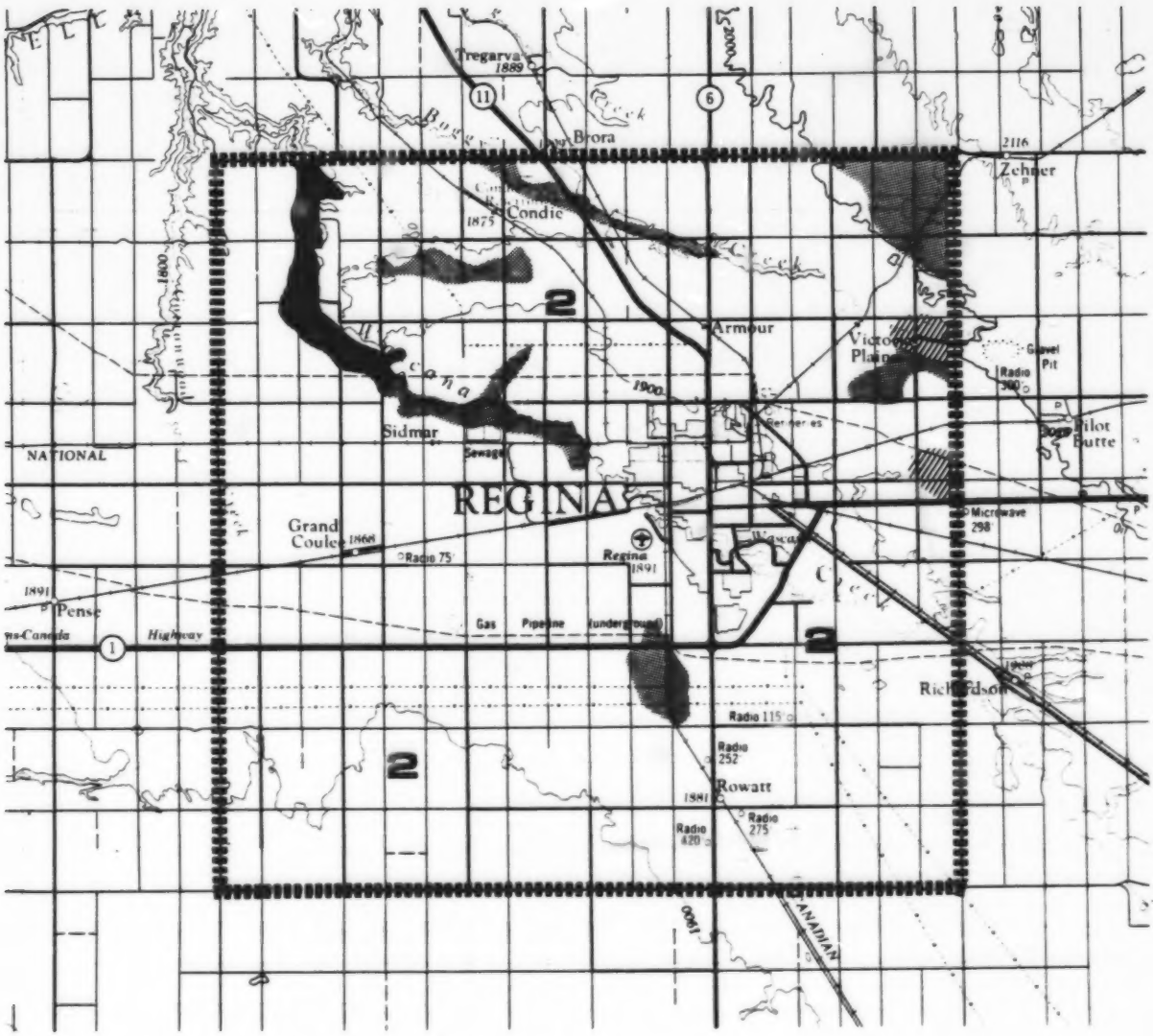
The major node of industrial land use in the Rural Municipality is located north of the City of Regina between Highway No. 11 and Highway No. 6.

The largest industrial land use in this area is the Interprovincial Steel and Pipe Corporation - IPSCO. Commercial development has been restricted to the lands adjacent to Highway No. 1 east of Regina and to Highway No. 6 south of the City. The commercial land use is on relatively large sites - 2 acres - and is of a highway - related nature.

2. Land Capability

The Rural Municipality has maintained its agricultural base due to the high capability of the soil in the area. As the accompanying Canada Land Inventory soil capability map indicates, the majority of land in the Rural Municipality is Class 2 land. Class 2 soils are characterized as being deep and holding moisture well. They are managed with little difficulty and have a high productivity for a wide range of crops. This is illustrated by the large number of grain farms in the area.

There are also a few small pockets of Classes 3, 5 and 6 soils in the Rural Municipality. Class 3 soils, under good management, produce a range of crops. Only land classified as 5 or 6 has severe limitations that restrict its capability. This is evident by the location of Class 6



CLASS 1 — 1

SOILS IN THIS CLASS HAVE NO SIGNIFICANT LIMITATIONS IN USE FOR CROPS.

CLASS 2 — 2

SOILS IN THIS CLASS HAVE MODERATE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE MODERATE CONSERVATION PRACTICES.

CLASS 3

SOILS IN THIS CLASS HAVE MODERATELY SEVERE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE SPECIAL CONSERVATION PRACTICES.

CLASS 5

SOILS IN THIS CLASS HAVE VERY SEVERE LIMITATIONS THAT RESTRICT THEIR CAPABILITY TO PRODUCING PERENNIAL FORAGE CROPS, AND IMPROVEMENT PRACTICES ARE FEASIBLE.

CLASS 6

SOILS IN THIS CLASS ARE CAPABLE ONLY OF PRODUCING PERENNIAL FORAGE CROPS, AND IMPROVEMENT PRACTICES ARE NOT FEASIBLE.

soils along Wascana Creek. Although these lands are not suitable for grain farming, they are capable of producing forage crops.

3. Proximity to Regina

Rural areas that are in close proximity to large urban centres are constantly being pressured for the development or urban-related uses. The Rural Municipality of Sherwood is no exception; however, due to several factors, the Rural Municipality has withstood this pressure. This is exemplified by the sparsity of country residential holdings in the area.

The past policy in the Rural Municipality has been to restrict the development of small holdings in the area. This policy was implemented through a zoning bylaw which established a minimum site holding of 160 acres in the large agricultural zone. Although the bylaw had provision for a small agricultural zone, the number of rezonings for this zone were restricted.

The Rural Municipality has also experienced the pressures of annexation of certain lands to the City of Regina. Over the years, lands have been removed from their agricultural productivity as they have been annexed to Regina and subsequently developed. The Rural Municipality has acknowledged the City's growth requirements but has advocated that the preservation of agricultural land be seriously considered in any annexation proposal.

In 1978, the City of Regina annexed some 3,600 acres from the Rural Municipality to meet their anticipated residential needs for the next twenty years. This annexation proposal was revised several times, eliminating those lands not required by the City that could remain in agricultural production. The City's policies of inner city residential growth areas will aid in the goal of retaining lands in agricultural production.

4. Regina Airport

The lands in the Rural Municipality to the southwest of the City of Regina are affected by the presence of the Regina Airport. Compatible land use in this area must be ensured in order to meet both the operational needs of the airport and the development needs of the area.

The Regina Airport Study, a joint federal-provincial project examined the aviation requirements and recommended an aviation growth strategy to serve Regina and Southern Saskatchewan. The final recommendation was for a moderate expansion of the present airport facilities that would involve the construction of a new runway parallel to the existing north-west south-east runway.

The recommendation of this study was adopted in principle by both the province and municipalities involved - Regina and the Rural Municipality of Sherwood. Therefore, zoning controls should be adopted to protect the areas affected by the existing facilities and ultimately, to preserve the recommended option of the expanded Regina Airport, should the approved new runway development actually occur.

III. Major Features of the Proposed R.M. Bylaw

1. Discretionary Use

One of the major departures from the previous bylaw will be the application of a discretionary use provision within the zones.

All zones in the bylaw will be divided into permitted and discretionary uses. The permitted uses in each zone are consistent with the general purpose of the zone. A permitted use may commence provided that the proposed development is in compliance with all the regulations and receives a building permit.

Discretionary uses, on the other hand, are not always suitable throughout a particular zone, and are required to be subject to a procedure of review and analysis. Through this discretionary use procedure, the R.M. of Sherwood will have the opportunity to examine the proposed use or development based on such planning criteria as the actual location in the zone, the siting of the structures on the land, and the scale of the development. This process enables the R.M. to ensure that the specific details of the use or development are in keeping with good planning principles and the intent of the land use policies developed as guidelines to this bylaw. In addition, the discretionary use provisions of The Planning and Development Act allow for conditions such as landscaping, buffering and siting to be placed on an approval.

A tentative procedure for processing discretionary uses is outlined below for consideration.

1) Application made to the Development Officer (City of Regina Director of Buildings and Properties).

2) Development Officer informs R.M. and City of Regina Councils of application.

3) Development Officer forwards application to Secretary Treasurer of the R.M. of Sherwood and to the City of Regina Planning Department.

4) City Planning Department reviews application for sufficiency of information, circulates application to all affected City departments and government agencies. A report is then prepared for consideration by the District Planning Commission.

5) Secretary-Treasurer notifies adjacent land owners by mail.

6) Secretary-Treasurer prepares report on behalf of R.M. to the District Planning Commission.

7) Application is then heard by Regina District Planning Commission. Recommendation is made.

8) Recommendation is then forwarded to both the R.M. Council and City Council for a decision. If approval is given, a development permit will be issued by the Development Officer.

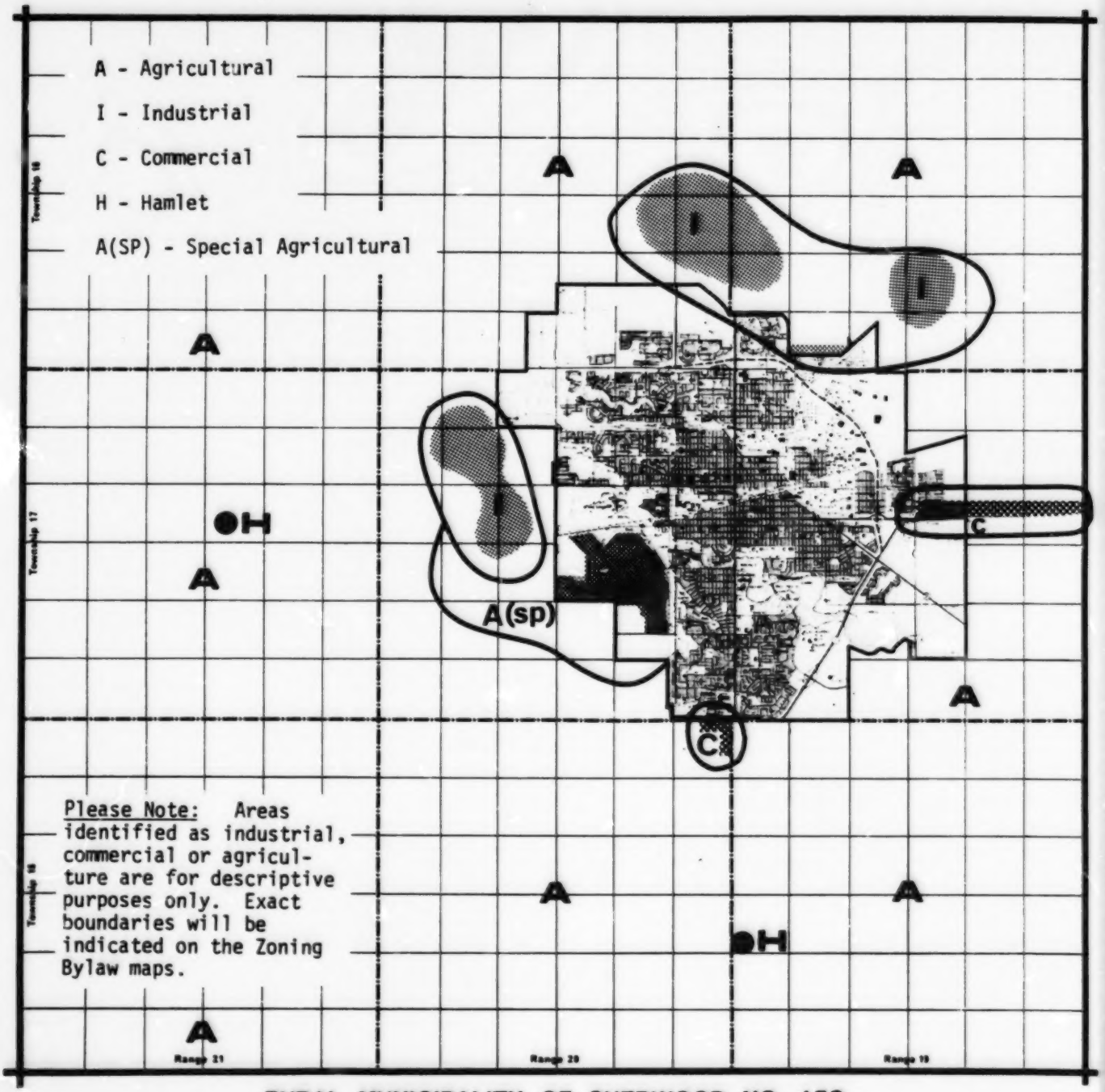
2. Non-Conforming Uses

Non-conforming uses result when the recommended zoning does not allow a use that presently exists on a site. These are called legally non-conforming uses. Illegal uses are non-conforming uses that develop after the present zoning is established for a site. Non-conformity can also arise as a result of not meeting site requirements. However, should new development wish to occur, that does not meet the site regulations, it may be rectified by the District Zoning Appeals Board, under certain conditions specified in the Planning and Development Act.

It is the intent of this bylaw to keeep the non-conforming uses to a minimum unless otherwise directed by the R.M. This will be done by specifically recognizing these uses in a certain section of the bylaw. (Section 7.6) Although the zoning on the site may not permit the use, the site will be specifically designated for that use by legal description.

3. Airport Environs

As mentioned previously, the Regina Airport Study, a joint federal-provincial project recently examined aviation requirements and developed an aviation growth strategy for facilities serving Regina and Southern Saskatchewan. The general recommendations of this report were a moderate expansion of the present airport facilities, land acquisition to ensure long-term growth potential and a compatible land use plan for areas surrounding the airport site.



RURAL MUNICIPALITY OF SHERWOOD NO. 159

An airport zone has been incorporated into the new bylaw to ensure compatible land use in the vicinity of the existing airport. The expanded airport should be recognized in the zoning bylaw once development has been initiated.

4. Agricultural Zone

Under the present R.M. of Sherwood Bylaw, there are two agricultural zones - one for large acreage sites and one for sites of 3 acres. The smaller acreage sites, for the most part, existing in close proximity to Regina and as portions of the rural municipality have been annexed to the City, these sites have gradually disappeared. It is proposed to have only one agricultural zone in the new bylaw with a minimum size of 160 acres. Smaller acreage sites can be accommodated as discretionary uses providing they are not incompatible with the intent of the agricultural zone.

IV. Land Use Policies

1. Agricultural

Policy Objective

1. To ensure existing agricultural land presently in production remains as such.

Policy Recommendation

1. That a single agricultural zone shall be created with a minimum size of 160 acres.

2. That smaller size parcels for compatible agricultural uses shall be permitted only at the discretion of the approving authority.

2) Commercial

Policy Objective

1. To control and minimize the expansion of commercial development in the R.M. of Sherwwod.

Policy Recommendations

1. That the existing commercial development in the Rural municipality be recognized.

2. That commercial uses oriented to the travelling public be permitted only on those lots directly fronting on Highway #1 at the discretionary of the approving authority.

3. That the minimum site size be established at 6,000 square metres (.6 hectares) for commercial development.

3) Hamlets

Policy Objective

1. To recognize the communities of Grand Coulee and Rowatt.

Policy Recommendation

1. That a hamlet zone be created that provides the residential and community oriented uses in Grand Coulee and for the existing developed portions of Rowatt.

4. Industrial

Policy Objective

1. To implement the recommendations of the Industrial Strategy as they pertain to the control of new industrial development in the Rural Municipality.

Policy Recommendations

1. Based on the recommendations of the Industrial Development Strategy, all existing industrial development shall be recognized in an industrial zone. No new industrial development sites shall be created except in the Northern Industrial area.

2. In the Northern Industrial Area any new development shall be of an infill nature only and shall be limited to non-manufacturing uses in order to ensure that future demands for industrial process, water and sanitary sewers are limited to levels currently foreseen.

5. The Airport

Policy Objective

1. To ensure compatible land use in the vicinity of the airport for the existing facilities and proposed expansion and to ultimately reflect the intent of the Transport Canada document Land Use in the Vicinity of the Airport.

Policy Recommendations and Implementation

1. That an airport protection zone be created. This zone shall permit compatible agricultural uses and shall encompass land within the 1985 35 NEF Contour as determined by Transport Canada. The expanded airport should be reflected once development is initiated.

2. The height of structures within the vicinity of the airport shall not exceed height limitations established by the Regina Airport Zoning Regulations as established by the Ministry of Transport.